AN ACT

RELATING TO WATER QUALITY; AMENDING CHAPTER 36, TITLE 39, IDAHO CODE, BY
THE ADDITION OF A NEW SECTION 39-3640, IDAHO CODE, TO PROVIDE FOR WATER
QUALITY INNOVATION AND POLLUTANT TRADING.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 36, Title 39, Idaho Code, be, and the same is
hereby amended by the addition thereto of a NEW SECTION, to be known and des-
ignated as Section 39-3640, Idaho Code, and to read as follows:

39-3640. WATER QUALITY INNOVATION AND POLLUTANT TRADING. (1) It is the
policy of the state of Idaho to support water quality trading and other vol-
untary, cost-effective, and innovative means of attaining and maintaining
water quality standards established pursuant to this chapter.
(2) The provisions of this title, water quality standards, and total
maximum daily loads and discharge permitting shall, where the department
deems appropriate, be administered to support opportunities for water
quality trading and other voluntary, innovative means of attaining and main-
taining water quality standards established pursuant to this chapter.
(3) "Water quality trade" and "water quality trading" mean a voluntary
transaction whereby a person who discharges or proposes to discharge a pol-
lutant into a water body pursuant to a permit or license meets regulatory re-
quirements by obtaining pollutant reductions from another source.
(4) The department is authorized to investigate, review, approve, mod-
ify, or deny water quality trades, trading frameworks, and the means of veri-
fying water quality pollutant trading and other water quality attainment in-
novations that contribute to the attainment of water quality standards.